

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

To:

Swindell & Pearson
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Date of mailing
(day/month/year)

18-04-2005

Applicant's or agent's file reference

PH/8584INT

PAYMENT DUE

within 1 month/days from the
above date of mailing (i.e latest 18-05-2005)

International application No.

PCT/IB2004/004027

International filing date
(day/month/year)

07-12-2004

Applicant

Nokia Corporation
et al

1. This International Searching Authority

(i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated below/on an extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reason indicated below/on an extra sheet:

(ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

1-14, 43, 15-28, 41-42

(iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

13870 SEK x 2 = 27740 SEK
Fee per additional invention number of additional inventions total amount of additional fees

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the ISA/

Patent- och registreringsverket

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The following separate inventions were identified:

I: Claims 1-14, 43 directed to an In-Mould Labelling process, claims 15-28, 41-42 directed to an In-Mould Labelling apparatus.

II: Claims 29, 30-37, 38, 39, 40, 50 directed to a moulded article.

III: Claims 44-49 directed to a laminate label, claims 51, 52 directed to a method of forming a pre-form label.

A partial search has been carried out, which relates to the invention I mentioned above.

The applicant is invited to pay two additional fees for each of the inventions II, III as listed above.

The present application has been considered to contain three inventions which are not linked such that they form a single general inventive concept, as required by Rule 13 PCT for the following reasons:

The closest prior art has been identified as:

D1: DE 4033297 A1.

Document D1 discloses a process and apparatus for in-mould labelling. According to D1, a label 14 is clamped between two mould halves 1 and 2 and pressed by members 4 into a mould cavity 8. The mould cavity is formed from the mould halves 1 and 2 and a mask 3, which is movably arranged relative mould half 2. Plastic resin 17 is injected into the mould cavity from a nozzle 15.

According to D1, the In-Mould Labelling process according to claim 1-3, 6, 8 lacks novelty.

Also, the apparatus according to claims 15, 16, 19-21, 24 lacks novelty

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Invention I:

From a comparison of the disclosure of D1 and the technical feature of the process according to claims 1-4 and the apparatus according to claims 15-17, the following technical feature can be seen to make a contribution over this prior art: cooperation between the label location core and the mould core to define a shut off volume.

This feature is hence considered as special technical features in the sense of Rule 13.2 PCT.

The effect of this feature is that injected material is prevented from entering the volume defined.

From this special technical feature, the objective problem to be solved by the first invention can be construed as:

Providing a method and device in which In-Mould Labelled articles provided with voids can be produced.

Invention II:

From a comparison of the disclosure of D1 and the technical features of independent claims 29, 30, 38, 39, 50, the following technical features can be seen to make a contribution over this prior art: The moulded article is provided with slots or grooves on the external surface.

These features are hence considered as special technical features in the sense of Rule 13.2 PCT.

The effect of the slots and grooves is that the moulded article can receive the edge of a fabric.

From these special technical features, the objective problem to be solved by the first invention can be construed as:

Improving the edge quality of the fabric in an In-Mould Labelled article.

.../...

Invention III

From a comparison of the disclosure of D1 and the technical features of independent claims 44, 51, the following technical features can be seen to make a contribution over this prior art: The laminate label according to independent claim 44 comprises a substrate layer and a fabric layer. The method for forming a pre-form label according to independent claim 51 comprises the method of moulding a laminate comprising a substrate layer and a fabric layer and indenting a continuous portion of the laminate and cutting the laminate so that it terminates at the continuous indented portion.

These features are hence considered as special technical features in the sense of Rule 13.2 PCT.

The effect of the method for forming a pre-form label is that a laminate without undesired marks is produced.

From these special technical features, the objective problem to be solved by the first invention can be construed as:

Producing flawless pre-form labels for use in an In-Mould Labelling process.

The above analysis shows that the special technical features of invention I, claims 1-4, 15-17, 41, 43 are neither the same as, nor corresponding to, those of invention II, independent claims 29, 30, 38, 39, 50 nor the same as nor corresponding to those of invention III independent claims 44, 51.

In conclusion, therefore, the three groups of claims are not linked by same or corresponding special technical features and define different inventions not linked by a single general inventive concept.

The application, hence, does not meet the requirements of unity of invention as defined in Rule 13.1 and 13.2 PCT.

COMMUNICATION RELATING TO THE RESULTS OF THE
PARTIAL INTERNATIONAL SEARCHInternational application No.
PCT/IB 2004/004027

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the result of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.: 1-14, 43, 15-28, 41-42
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on the other parts of the international application for which such fees will have been paid.

DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 4033297 A1 (ENGEL MASCHINENBAU GES. M B H), 2 May 1991 (02.05.1991), column 2, line 19 - column 2, line 40, figure 2 --	1-3,6,8,15, 16,19-21,24, 41,43
X	File EPODOC/EPO, INOUE MTP KK: "Decorative molding and manufacture thereof", JP,A,61172714, 19860804 --	1,15,41,43
X	File EPODOC/EPO, MITSUBISHI RAYON CO et al: "Method and mold for in-mold forming", JP,A,6126773, 19940510 --	1,15,41,43
X	File EPODOC/EPO, SHOWA DENKO KK, "Injectionmolding method and mold apparatus used therefor", JP,A,59215842, 19841205 --	1,15,41,43
A	EP 1127673 A1 (TELEFONAKTIEBOLAGET LM ERICSSON), 29 August 2001 (29.08.2001) --	1-28,41-43
A	DE 19949576 A1 (ECIA INDUSTRIE), 27 April 2000 (27.04.2000) -- -----	1-28,41-43



Further documents are listed in a continuation Box.



See patent family annex

- * Special categories of cited documents:
- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

01/04/2005

DE	4033297	A1	02/05/1991	AT	250489	A	15/04/1994
				AT	398404	B	27/12/1994
				IT	1240991	B	27/12/1993
				IT	6784290	D	00/00/0000
				IT	9067842	D	00/00/0000
EP	1127673	A1	29/08/2001	AU	4056901	A	03/09/2001
				US	6635210	B	21/10/2003
				US	2001024702	A	27/09/2001
				WO	0162466	A	30/08/2001
DE	19949576	A1	27/04/2000	FR	2784611	A,B	21/04/2000